

STAND. COM. REP. NO. 585

Honolulu, Hawaii

MAR 05 2015

RE: S.B. No. 1040
S.D. 2

Honorable Donna Mercado Kim
President of the Senate
Twenty-Eighth State Legislature
Regular Session of 2015
State of Hawaii

Madam:

Your Committee on Commerce and Consumer Protection, to which was referred S.B. No. 1040, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO FARMERS' MARKETS,"

begs leave to report as follows:

The purpose and intent of this measure is to require all fresh produce sold at farmers' markets to be displayed with a label or sign containing an identity statement declaring the produce's geographic origin.

Your Committee received testimony in support of this measure from the Hawai'i Farm Bureau and two individuals. Your Committee received comments on this measure from the Department of Agriculture.

Your Committee finds that local farmers' markets are an excellent way to showcase and promote local farms and their products and provide consumers with a venue to purchase local foods. However, your Committee has heard the concerns that this measure requires vendors to label or display a sign with the geographic origin for every product they sell. Your Committee understands the concerns that this requirement may be burdensome for vendors who sell multiple products or whose produce varies by crop and season. Your Committee has also heard the concerns that the federal Country of Origin Labeling program requires fresh produce to be displayed with the country, but not the actual state, of origin. According to testimony received from the Department of Agriculture, farmers' market vendors may have

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difficulty obtaining the exact state of origin for imported produce.

Your Committee further finds that this measure is intended to inform consumers whether the produce they purchase at farmers' markets is from Hawaii. Amendments to this measure are therefore necessary to narrow the label or sign requirements proposed by this measure and ensure that consumers interested in purchasing Hawaii produce at farmer's markets are aware of their options.

Accordingly, your Committee has amended this measure by:

- (1) Requiring Hawaii fresh produce or items made with Hawaii grown produce sold at farmers' markets to be displayed with a label or sign containing an identity statement declaring the Hawaii produce's county of geographic origin;
- (2) Requiring non-Hawaii produce sold at farmers' markets to be displayed with a label or sign containing an identity statement declaring the non-Hawaii produce "imported";
- (3) Amending the definition of "geographic origin";
- (4) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1040, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1040, S.D. 2.



Respectfully submitted on
behalf of the members of the
Committee on Commerce and
Consumer Protection,

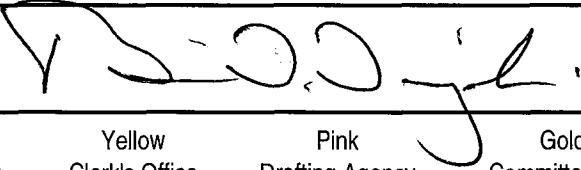
Rosalyn H. Baker

ROSALYN H. BAKER, Chair



The Senate
 Twenty-Eighth Legislature
 State of Hawai'i

Record of Votes
Committee on Commerce and Consumer Protection
CPN

Bill / Resolution No.:*	Committee Referral:	Date:		
SB1040 SD1	AGL, CPN	2/24/15		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
BAKER, Rosalyn H. (C)	✓			
TANIGUCHI, Brian T. (VC)	✓			
KAHELE, Gilbert	✓			
KIDANI, Michelle N.	✓			
NISHIHARA, Clarence K.	✓			
WAKAI, Glenn				✓
SLOM, Sam				✓
TOTAL	5	0	0	2
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes